

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**RONALD WAYNE WINFREY,**

**Defendant.**

**CASE NO. 8:12CR275**

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter comes before the Court on the United States' Motion for Issuance of Preliminary Order of Forfeiture (Filing No. 59). The Court has reviewed the record in this case and, being duly advised in the premises, finds as follows:

1. The Defendant has entered into a Plea Agreement (Filing No. 56), whereby he has agreed to enter a plea of guilty to Count I and the Forfeiture Allegation of said Information. Count I charged the Defendant with conspiracy to distribute marijuana, in violation of 21 U.S.C. § 846. The Forfeiture Allegation charged the Defendant with using the following properties to facilitate the commission of the conspiracy and/or are derived from proceeds obtained directly or indirectly as a result of the commission of the conspiracy.

- a. a 2003 GMC Yukon motor vehicle, VIN 1GKEK13Z73J202370, seized at 1861 N.115th Plaza, Apartment 3609, Omaha, Nebraska;
- b. a 2012 Dodge Charger motor vehicle, VIN 2C3CDYCJ3CH107679, seized at Public Storage, 6425 S. 86th Street, Omaha, Nebraska;
- c. \$31,020.00 in United States currency seized at Public Storage, 6425 S. 86th Street, Omaha, Nebraska; and

- d. \$69,398.00 in United States currency seized at 1861 N. 115th Plaza, Apartment 3609, Omaha, Nebraska.

2. By virtue of said plea of guilty, the Defendant forfeits his interest in the aforementioned properties, and the United States should be entitled to possession of said properties, pursuant to 21 U.S.C. § 853.

3. The United States' Motion for Issuance of Preliminary Order of Forfeiture should be sustained.

IT IS ORDERED:

- A. The United States' Motion for Issuance of Preliminary Order of Forfeiture is hereby granted;
- B. Based upon the Forfeiture Allegation of the Information and the Defendant's plea of guilty, the United States is hereby authorized to seize the following properties:
  1. a 2003 GMC Yukon motor vehicle, VIN 1GKEK13Z73J202370, seized at 1861 N.115th Plaza, Apartment 3609, Omaha, Nebraska;
  2. a 2012 Dodge Charger motor vehicle, VIN 2C3CDYCJ3CH107679, seized at Public Storage, 6425 S. 86th Street, Omaha, Nebraska;
  3. \$31,020.00 in United States currency seized at Public Storage, 6425 S. 86th Street, Omaha, Nebraska; and
  4. \$69,398.00 in United States currency seized at 1861 N. 115th Plaza, Apartment 3609, Omaha, Nebraska;

- C. The Defendant's interest in the aforementioned properties is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1);
- D. The subject properties are to be held by the United States in its secure custody and control;
- E. Pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, Notice of Publication evidencing the United States' intent to dispose of the currency in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in any of the subject properties must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier;
- F. Said published notice shall state the Petition referred to in Paragraph E, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the properties, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject properties and any additional facts supporting the Petitioner's claim and the relief sought;
- G. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the properties to this Order as a substitute for published notice as to those persons so notified; and

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 23<sup>rd</sup> day of July, 2013.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge